

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAY CLARENCE ROGERS,

Plaintiff,

v.

KING COUNTY, *et al.*,

Defendants.

CASE NO. 2:23-cv-01034-DGE-GJL

ORDER ON MOTIONS

Plaintiff Ray Clarence Rogers, a pretrial detainee proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Currently pending before the Court is a Motion for Leave to File a Second Amended Complaint (Dkt. 87), two Motions for Extension of Time (Dkts. 91, 92), and an Emergency Motion to Stay (Dkt. 93).

Plaintiff filed a Proposed Amended Complaint on March 20, 2024. Dkt. 80. On March 28, 2024, the Court issued an Order to Show Cause or Amend, rejecting Plaintiff's Amended Complaint via screening and granting him leave to file an Amended Complaint that complies with Rule 8, does not include new claims against new defendants, and does not exceed forty-five

1 (45) pages by April 12, 2024. Dkt. 85. After the Court entered this Order, Plaintiff filed the
2 instant Motions.

3 First, Plaintiff's Motion for Leave to File a Second Amended Complaint (Dkt. 87)
4 appears to function as a response to Defendants' Objections (Dkt. 82) to Plaintiff's Proposed
5 Amended Complaint (Dkt. 80). Because the Court has already found Plaintiff's Proposed
6 Amended Complaint deficient and ordered him to re-file, it **DENIES** this Motion (Dkt. 87) as
7 moot.¹

8 Second, both Motions for Extension of Time request 30 days for Plaintiff to file a new
9 Amended Complaint and cure deficiencies described in the Court's March 28th Order. Dkts. 91,
10 92. The Court recognizes the restrictions on Plaintiff as a *pro se* detainee, many of which he has
11 raised in previous filings. Dkts. 55, 61, 78. The Court also acknowledges that Plaintiff does not
12 receive photocopies of his own filings, such as his recently rejected Amended Complaint. Dkt.
13 91 at 3. The Court therefore **GRANTS** Plaintiff's Motions for Extension of Time (Dkts. 91, 92).
14 Plaintiff shall file a new Amended Complaint by **May 24, 2024**. This Amended Complaint must
15 comply with Rule 8, must not exceed forty-five (45) pages, and must not include new claims
16 against new defendants.

17 Third, Plaintiff's Motion to Stay seeks to halt proceedings until the resolution of several
18 motions filed by Plaintiff, including his Second Motion for Recusal. Dkts. 90, 93. The Court was
19 unable to rule on Plaintiff's motions for fourteen (14) days while his Second Motion for Recusal
20 was pending. The Court has incorporated this delay into its extension and therefore **DENIES**
21 Plaintiff's Motion to Stay (Dkt. 93) as moot.

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23 ¹ The Court acknowledges that this Motion was filed two days prior to the Court's March 28 Order, but not docketed
24 until one day following the Order. *See* Dkt. 87 at 6 (signed by Plaintiff on March 26, 2024). The Court has reviewed
Plaintiff's arguments but found that they do not affect the Court's reasoning in its Order.

1 The Clerk is directed to send copies of this Order and of Plaintiff's Proposed Amended
2 Complaint (Dkt. 80) to Plaintiff. The Clerk is further directed to **RE-NOTE** Defendants' Motion
3 to Dismiss (Dkt. 48) and Plaintiff's Motion to file Over-length Briefs (Dkt. 61) for **May 24,**
4 **2024.**

5 Dated this 23rd day of April, 2024.

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7  A handwritten signature in black ink, appearing to read 'Grady J. Leupold', is written over a solid black horizontal line.

8 Grady J. Leupold
9 United States Magistrate Judge
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